

CUI//PRIVILEGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

The Sustainability Institute, et al.,)	Civil Action Number: 2:25-cv-02152-RMG
)	
Plaintiffs,)	
)	
vs.)	
)	
DONALD J. TRUMP, in his official)	
capacity as President of the United States,)	
et al.,)	
)	
Defendants.)	

DECLARATION

I, Elise Packard, am Deputy General Counsel for Operations at the U.S. Environmental Protection Agency (EPA). I have reviewed the Court's April 7, 2025, Order in this matter. I hereby certify that to my personal knowledge and belief, EPA employees have conducted a diligent search, explained below, to identify and produce information responsive to the Court's Order.

On April 8, 2025, attorneys in EPA's Office of General Counsel identified 18 EPA employees likely to be in possession, custody or control of information responsive to the Court's Order.

On April 8, 2025, Office of General Counsel attorneys requested that the Agency's eDiscovery Division collect the mail files from the Microsoft Outlook mailboxes for each custodian for the period from January 20, 2025, to April 7, 2025.

On April 8, 2025, the eDiscovery Division utilized Microsoft Purview Standard, a comprehensive eDiscovery collection tool to initiate the requested date restricted mailbox exports. As the exports were completed, the data was imported into the Agency's Relativity document review platform for processing, indexing and deduplication. As a result, approximately 400,000 files were loaded into a Relativity repository workspace.

From April 9, 2025, through April 11, 2025, attorneys in the Office of General Counsel developed a complex Boolean logic search string to identify any of the 400,000 documents that were potentially responsive to the Court's Order. On April 11, 2025, the eDiscovery Division applied the Boolean search terms and narrowed the resulting document set to include the inclusive emails only, which resulted in approximately 19,500 documents being identified as potentially responsive to the Court's Order and made available for a document review process.

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From April 12, 2025, through April 16, 2025, a team of EPA attorneys and legal assistants conducted first and second level document review to make responsiveness and privilege determinations for each of the approximately 19,500 potentially responsive documents. Upon completing the first and second level review, approximately 5,600 documents were identified as responsive. A third level of review is commencing. Of those, approximately 2,000 were identified as containing privileged attorney client, attorney work product, and/or deliberative process information.

Upon filing this declaration, a privilege log will be produced and documents containing privileged information are being provided to the Court for *in camera* review.

I certify that the copies of records attached hereto are true and accurate copies of EPA records. These records were prepared and maintained in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct.

ELISE
PACKARD

Digitally signed by ELISE PACKARD
Date: 2025.04.17 16:47:37 -04'00'

Elise Packard
Deputy General Counsel for Operations
Office of General Counsel
U.S. Environmental Protection Agency